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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,939 09/806,939 909 7590	05/08/2001 05/19/2005	Serge Haumont	P 279245	9553
PILLSBURY WINTHROP SHAW PITTMAN, LLP P.O. BOX 10500 MCLEAN, VA 22102			EXAMINER PEACHES, RANDY	
			ART UNIT 2686	PAPER NUMBER
DATE MAILED: 05/19/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/800,393 <u>09/806,939</u>	Applicant(s) SERGE HAUMONT	
	Examiner Randy Peaches	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,7,20-22 and 25-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,7,20-22 and 25-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. ***Claims 20, 22, 25-26 and 28*** are rejected under 35 U.S.C. 102(e) as being anticipated by Tiedemann et al (U.S. Patent Number 6,381,454 B1).

Regarding ***claim 20***, Tiedemann et al discloses in column 2 lines 29-37, of a method, a network element, a communication network, and a mobile station, which reads on claimed "cellular network, allocating a temporary identity to at least one mobile station in a communication network, which reads on claimed "cellular network", wherein a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an identifier of its own to allocate a Temporary Reference Number (TRN) to the at least one mobile station wherein the said TRN includes at least part of an identifier indicating the said MSC (10) and

a HLR, which reads on claimed "database element," configured to:

- receive an inquiry including the at least part of the identifier of the said Mobile Switching Center (MSC, 10) that allocates the temporary ID and information relating to a location where he said temporary ID was allocated, and determining the address of the said MSC which allocated the temporary ID. See column 2 lines 56-67 and column 8 lines 11-21.

Regarding **claim 22**, according to **claim 20**, Tiedemann et al further discloses wherein the said HLR further send an inquiry to a customer service center CSC currently storing the context of the said mobile station in question. See column 5 lines 17-53.

Regarding **claim 25**, Tiedemann et al discloses in column 2 lines 29-37, of a method, a network element, a communication network, and a mobile station, which reads on claimed "cellular network, allocating a temporary identity to at least one mobile station in a communication network, which reads on claimed "cellular network", wherein a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an identifier of its own to allocate a Temporary Reference Number (TRN) to the at least one mobile station wherein the said TRN includes at least part of an identifier indicating the said MSC (10) and wherein the said mobile station is configured to use part of the identifier for data transfer and for signaling. See column 6 lines 29-50;

Regarding **claims 26 and 28**, Tiedemann et al discloses in column 2 lines 29-37, of a method, a network element, a communication network, and a mobile station, which

reads on claimed "cellular network, allocating a temporary identity to at least one mobile station in a communication network, which reads on claimed "cellular network", wherein a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an identifier of its own to allocate a Temporary Reference Number (TRN) to the at least one mobile station wherein the said TRN includes at least part of an identifier indicating the said MSC (10) and wherein the said temporary identity includes 3 to 5 bits of the identifier of a network element. See column 2 lines 27-37.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. ***Claims 3 and 7*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiedemann et al (U.S. Patent Number 6,381,454 B1) in view of Sawyer et al (U.S. Patent Number 5,920,814) in further view of Onoe et al (U.S. Patent Number 5,361,396 B1) and in further view of Monrad et al. (U.S. Patent Number 6,208,628 B1).

Regarding ***claim 7***, Tiedemann et al discloses in column 2 lines 29-37, of a method, a network element, a communication network, and a mobile station, which reads on claimed "cellular network, allocating a temporary identity to at least one mobile station in

a communication network, which reads on claimed "cellular network", the method comprising:

- using a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an identifier of its own to allocate a Temporary Reference Number (TRN) to the at least one mobile station wherein the said TRN includes at least part of an identifier indicating the said MSC (10);

However, Tiedemann et al does not disclose where the said TRN includes a paging identity which is unique to each of the at least one mobile station.

Sawery et al discloses in column 5 lines 40-65, of a TMSI Allocation Unit (TAU, 23) used to allocate unique TMSI's to each mobile station which also identifies the servicing area of the MSC, which reads on claimed "paging area", as taught in column 2 lines 50-65.

Therefore at the time of the invention one of ordinary skill in the art would modify the teaching of Tiedemann et al (U.S. Patent Number 6,381,454 B1) to include Sawyer et al (U.S. Patent Number 5,920,814) in order to provide a method that assigns unique temporary identities that also includes the area identity for optimizing the identity of a mobile station within a service area.

However, the combination of Tiedemann et al (U.S. Patent Number 6,381,454 B1) and Sawyer et al (U.S. Patent Number 5,920,814) fails to clearly disclose teach wherein each of the plurality of paging area includes an associated master network element for allocating a paging identity to each of the at least one mobile stations in the paging area.

Onoe et al discloses in columns 5 and 7 lines 30-43 lines 39-58 respectively, wherein the requesting a location code, which reads on claimed "paging identity" is carried out by accessing the control center (101), which reads on claimed "master network element" in order to obtain an identification number for the mobile station within a respected location registration area.

Onoe et al further teaches wherein each of the said registration areas is coupled to a plurality of mobile control center and/or base stations, and wherein the method further comprises using the said identification number for routing uplink traffic to the said mobile control center and/or base station currently serving the said mobile station. See columns 3, 4 and 6 lines 17-29 lines 11-30 lines 41-66, respectively.

Onoe et al again further teaches where when a said mobile station moves beyond the border of a location registration area, which reads on claimed "first paging area" of a plurality of paging areas to another location, the said mobile control center and/or base station of the second paging area using the said identification number and the said location code of the second paging area. See column 5 lines 11-43.

Onon et al teaches in column 5 lines 30-43 wherein the said location code, which reads on claimed "paging identity," is used for paging he said mobile station.

Therefore at the time of the invention one of ordinary skill in the art would modify the combined teachings of Tiedemann et al (U.S. Patent Number 6,381,454 B1) and Sawyer et al (U.S. Patent Number 5,920,814) to further include Onoe et al (U.S. Patent Number 5,361,396 B1) in order to mandate the functionality of assigning a said

identification of a mobile station in the said control center to facilitate the proper paging of a respected mobile subscriber.

However, the combination of Tiedemann et al (U.S. Patent Number 6,381,454 B1) and Sawyer et al (U.S. Patent Number 5,920,814) and Onoe et al (U.S. Patent Number 5,361,396 B1) to further teach of the limitation wherein the method further comprises using the said temporary identity for signaling purposes.

Monrad et al teaches column 1 lines 45-50, wherein the said TLLI is used as an identifier on the radio interface for initial signaling procedures.

Therefore at the time of the invention one of ordinary skill in the art would modify the combined teachings of Tiedemann et al (U.S. Patent Number 6,381,454 B1), Sawyer et al (U.S. Patent Number 5,920,814) and Onoe et al (U.S. Patent Number 5,361,396 B1) to further include Monrad et al. (U.S. Patent Number 6,208,628 B1) in order to specifically utilize the said temporary identification for signaling purposes in the process of paging a mobile subscriber.

Regarding **claim 3**, as the combination of Tiedemann et al (U.S. Patent Number 6,381,454 B1) and Sawyer et al (U.S. Patent Number 5,920,814) are made, the combination according to **claim 2**, Sawyer discloses further where the uniquely identification of the said mobile station based on the identifier of the said mobile station and the said identification of the service area, which reads on claimed "paging area", where the said TMSID was allocated. See column 2 lines 50-65.

3. **Claim 21** is rejected under 35 U.S.C. 103(a) as being unpatentable over Tiedemann et al (U.S. Patent Number 6,381,454 B1) in view of Huttunen et al. (U.S. Patent Number 6,356,761 B1).

Regarding **claim 21**, according to **claim 20**, Tiedemann et al discloses in column 2 lines 29-37, of a method, a network element, a communication network, and a mobile station, which reads on claimed "cellular network, allocating a temporary identity to at least one mobile station in a communication network, which reads on claimed "cellular network", wherein a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an identifier of its own to allocate a Temporary Reference Number (TRN) to the at least one mobile station wherein the said TRN includes at least part of an identifier indicating the said MSC (10) and

a HLR, which reads on claimed "database element," configured to:

- receive an inquiry including the at least part of the identifier of the said Mobile Switching Center (MSC, 10) that allocates the temporary ID and information relating to a location where the said temporary ID was allocated, and determining the address of the said MSC which allocated the temporary ID. See column 2 lines 56-67 and column 8 lines 11-21.

However, Tiedemann et al. fails to disclose wherein the said database element is a domain name server.

Huttunen et al. discloses in column 7 lines 27-33, wherein a database element is a DNS.

Therefore, at the time of the invention one of ordinary skill in the art would modify the teaching of Tiedemann et al (U.S. Patent Number 6,381,454 B1) to include in view of Huttunen et al. (U.S. Patent Number 6,356,761 B1) in order for the system to be compatible with the IP network in regards to identifying respected subscribers.

4. **Claim 27** is rejected under 35 U.S.C. 103(a) as being unpatentable over Tiedemann et al (U.S. Patent Number 6,381,454 B1) in view of Mademann (U.S. Patent Number 6,081,723).

Regarding **claim 27**, according to **claim 28**, Tiedemann et al discloses in column 2 lines 29-37, of a method and a network element, allocating a temporary identity to at least one mobile station in a communication network, which reads on claimed "cellular network", the method comprising:

- using a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an identifier of its own to allocate a Temporary Reference Number (TRN) to the at least one mobile station wherein the said TRN includes at least part of an identifier indicating the said MSC (10).

However, Tiedemann et al does not disclose where the said network element is a support node.

Mademann teaches in column 1 lines where the packet data service nodes are GPRS support nodes.

Therefore, at the time of the invention one of ordinary skill in the art would modify the teaching of Tiedemann et al (U.S. Patent Number 6,381,454 B1) to include Mademann (U.S. Patent Number 6,081,723) in order to transmit data packets between mobile stations in a General Packet Radio Service.

5. **Claims 29-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallentin et al (U.S. Publication Number 2002/0086685 A1) in view of Tiedemann et al (U.S. Patent Number 6,381,454 B1).

Regarding **claim 31**, Wallentin et al discloses in paragraph [0052], a radio station controller for a cellular network, configured to route data packets in a General Packet Radio Service, including a Temporary Mobile Station Identification (TMSID) allocated to a mobile station, wherein the said TMSID includes at least part of an identifier indicating a Radio Network Controller (RNC), which reads on claimed "network element", which allocated the temporary identity and wherein the said RNC is configured to used at least part of the said TMSID to route data packets to the second RNC, which reads on claimed "network element", serving the mobile station. See paragraph [0051, 0063, 0077,0075].

However Wallentin et al. fails to clearly disclose wherein the said temporary identity includes 3 to 5 bits of the identifier of a network element that allocates the temporary identity.

Tiedemann et al teaches in column 2 lines 27-37 wherein temporary identity includes 3 to 5 bits of the identifier of a network element that allocates the temporary identity.

Therefore, at the time of the invention one of ordinary skill in the art would modify the teaching of Wallentin et al (U.S. Publication Number 2002/0086685 A1) in view of Tiedemann et al (U.S. Patent Number 6,381,454 B1) in order for the system to reserve bit space for the allocation of the said network element's identification for the process of paging and routing information.

Regarding **claims 29 and 30**, as the combination of Wallentin et al (U.S. Publication Number 2002/0086685 A1) and Tiedemann et al (U.S. Patent Number 6,381,454 B1) are made, the combination according to **claim 31**, Wallentin et al further discloses in paragraph [0005], where the radio station controller, which reads on claimed "radio station controller", is a base station controller.

Response to Arguments

Applicant's arguments filed 9/26/2005 have been fully considered but they are not persuasive.

Regarding ***claims 3, 7, 20-22 and 25-31*** the Examiner has consider the following claims in view of the personal interview and the cited remarks; however, based on the most broadest reasonable interpretation of the claimed language. the Examiner primarily maintains his position according to the Examiner cited prior art.

The Applicant's asserts that the temporary identity includes at least part of an identifier indicating the network element. According to Tiedemann et al. in column 2 lines 29-46, it is clearly stated that the TRN is allocated identifying the said MSC and the MS of which it is being allocated to. Secondly, the TRN is a unique number associated to a particular MS. See column 2 lines 30-32. Tiedemann et al. teaching of the said TRN is indeed using the identifier in a duality methodology wherein the said identifier is identifying the MS and the associated MSC.

Finally, with respect to the bits, Tiedemann et al. again teaches of a value of bits allocated to identify the said network element.

Based on the above rejection and the comment contained within, ***claims 3, 7, 20-22 and 25-31*** stand rejected.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy Peaches whose telephone number is (571) 272-7914. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Randy Peaches
December 12, 2005

Marsha D Banks-Harold

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